

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 19, 2006. Claims 1-7, 10-12, 14-19, 21-22, and 24-29 are pending in this Application and Claims 8, 9, 13, 20 and 23 were previously cancelled without prejudice or disclaimer. Claims 1, 2, 6, and 10-12 stand rejected under 35 U.S.C. § 102(e), and Claims 3-5, 14-19, 21, 22, and 24-29 stand rejected under 35 U.S.C. § 103(a). Claims 1, 2, 6, 7, 10, 15, 22, and 24 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 6, and 10-12 stand rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,766,474 issued to Todd A. Schelling ("*Schelling*").

Schelling discloses a system and method for a basic input/output system (BIOS) program of a multiple processor system to quickly boot an operating system on a processor-based system while still performing a thorough test of the memory. The system may contain two or more processors where the BIOS program automatically retains control of one or more processors to execute simultaneously with the operating system. (Col. 2, Lines 12-13). The BIOS program uses the retained processor while the operating system uses the relinquished processor. (Col. 3, Lines 51-61).

Claim 1, as amended, recites software operable to "provide an interface for user selection of at least one memory system device for isolation."

Claim 10, as amended, recites software operable to "receive a user selection of an operating state for a selected memory system device; [and] alter the operating state of the selected memory system device in accordance with the user's operating state selection."

Applicants respectfully submit that *Schelling* fails to disclose each and every limitation of amended Claims 1 and 10. Regarding amended Claim 1, *Schelling* fails to disclose software operable to "provide an interface for user selection of at least one memory system device for isolation." Rather, *Schelling* teaches a BIOS program 14 that automatically retains a portion of memory 20 (retained memory 20a) while relinquishing control of the remainder of the memory 20 (relinquished memory 20b) to the operating system 16, such that

the BIOS program 14 may initialize and test the retained memory 20a. (Col. 4, Lines 3-13). *Schelling* does not teach or suggest user selection of the portions of the memory to be retained or relinquished, much less providing an interface for user selection of such memory portion(s). Thus, even assuming that the retainment taught by *Schelling* could be equated with the isolation recited in Applicants' Claim 1 (which Applicants do not here concede), *Schelling* fails to teach or suggest software operable to "provide an interface for user selection of at least one memory system device for isolation," as recited in amended Claim 1.

Regarding amended Claim 10, *Schelling* fails to disclose software operable to "receive a user selection of an operating state for a selected memory system device; [and] alter the operating state of the selected memory system device in accordance with the user's operating state selection." As discussed above, the system of *Schelling* automatically retains retained memory 20a while relinquishing control of the relinquished memory 20b to the operating system 16, such that the BIOS program 14 may initialize and test the retained memory 20a. (Col. 4, Lines 3-13). *Schelling* does not teach or suggest user selection of an operating state of memory portions 20a or 20b, or altering the operating states of memory portions 20a or 20b in accordance with such user selections. Thus, even assuming that retained memory 20a and relinquished memory 20b taught by *Schelling* could be equated with the operating states of Applicants' Claim 10 (which Applicants do not here concede), *Schelling* fails to teach or suggest software operable to "receive a user selection of an operating state for a selected memory system device; [and] alter the operating state of the selected memory system device in accordance with the user's operating state selection," as recited in amended Claim 10.

For at least these reasons, Applicants submit that *Schelling* cannot anticipate amended Claim 1 or 10. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1 and 10, as well as Claims 2-7 that depend from Claim 1 and Claims 11-12 and 14 that depend from Claim 10.

Rejections under 35 U.S.C. § 103

Claims 7, 14-15, 17-19, 21-22 and 24-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Schelling* in view of Official Notice. (Final Office Action, page 8).

Claim 15, as amended, recites an information handling system comprising a program of instructions operable to “effect a user selected operating state for at least one of the plurality of memory slots; and allow a user to selectively toggle the operating state for each of the plurality of memory slots between enabled and disabled.”

Claim 22, as amended, recites a method comprising the steps of “receiving from a user a selection of a memory system device for isolation; [and] isolating, via a BIOS utility setting, the memory system device selected by the user.”

Applicants respectfully submit that *Schelling* in view of Official Notice fails to teach or suggest each and every limitation of amended Claims 15 and 22. Regarding amended Claim 15, *Schelling* in view of Official Notice fails to disclose a program of instructions operable to “effect a user selected operating state for at least one of the plurality of memory slots; and allow a user to selectively toggle the operating state for each of the plurality of memory slots between enabled and disabled.” As discussed above, *Schelling* does not teach or suggest user selection of an operating state of memory portions 20a or 20b, or effecting such user selection. Further, *Schelling* does not teach or suggest instructions allowing a user to selectively toggle the operating state for memory slots between enabled and disabled. Any toggling of operating states of memory devices disclosed by *Schelling* (if any) would be performed automatically by the BIOS program, not in response to user selections. The Examiner’s “Official Notice” also does not address these features of amended Claim 15. Therefore, *Schelling* in view of Official Notice fails to teach or suggest all of the limitations of amended Claim 15.

Regarding amended Claim 22, *Schelling* in view of Official Notice fails to disclose “receiving from a user a selection of a memory system device for isolation; [and] isolating, via a BIOS utility setting, the memory system device selected by the user.” Again, even assuming that *Schelling* teaches isolation of a memory system device (which Applicants do not here concede), the memory system device to be isolated is selected automatically by

BIOS program 14 of *Schelling*. There is no user selection of a memory system device for isolation. The Examiner's "Official Notice" also does not address these features of amended Claim 22. Therefore, *Schelling* in view of Official Notice fails to teach or suggest all of the limitations of amended Claim 22.

For at least these reasons, Applicants submit that *Schelling* in view of Official Notice cannot render amended Claims 15 and 22 obvious. Therefore, Applicants respectfully request reconsideration and allowance of amended Claims 15 and 22, as well as Claims 16-19 and Claim 21 that depend from Claim 15, and Claims 24-29 that depend from Claim 22.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time; however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2689.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicants

E. M. Grabski

Eric M. Grabski
Reg. No. 51,749

Date: December 19, 2006

SEND CORRESPONDENCE TO:

BAKER BOTTS L.L.P.

CUSTOMER NO. **23640**

512.322.2689

512.322.8320 (fax)